

USSN: 09/683,715

MILTON, Scott C.

REMARKSAllowable Subject Matter

The Applicant appreciates the Examiner's indication of allowance of Claims 19-23 and 31 and the indication of the allowability of Claims 4-5, 13-14, 25-27 and 29, which were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response thereto, Claims 4, 13 and 25 have been rewritten into independent form. The remaining claims that were objected to depend from one of the rewritten independent claims, and therefore, no longer will depend from a rejected base claim. Also the Applicant would clarify that Claim 19, as already being independent, was only amended to correct a typo although included in the list of objected claims by the Examiner.

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1-3, 6-12, 15-18, 24 and 30 were rejected under 35 U.S.C. § 102(b) as being anticipated by Nierescher. (U.S. Patent No. 5,638,106).

The reference cited does not teach the maintaining of the registration between the registration face of the print head assembly and the registration device as claimed. Independent Claims 1 and 12 were amended to more fully clarify that the registration face is engageable with the registration device to maintain registration *so as to substantially prevent the print head from moving both axially and transversely with respect to an axis of rotation of the registration device*. As noted in the specification, "when in registration, print head 44 is prevented or substantially prevented, from moving transversely, or substantially transversely, with respect to axis A of platen roller 17." Also, "when in registration, print head 44 is prevented from moving axially with respect to axis A of platen roller 17." (Specification paragraph 51) The portion of Nierescher cited by the Examiner, namely column 3, lines 54-65, does not indicate any registration as claimed, merely that "The platen roller... supports the print medium in the vicinity of the printhead 80, and the print medium is in constant contact with the printhead 80 when the printhead 80 is printing on the print medium." (Col. 3, lines 61-65). There is no prevention of movement of the printhead in the printhead/platen roller arrangement disclosed in Nierescher. The registration as claimed is not disclosed nor taught in the cited reference, and therefore, for at least this reason, the cited reference does not anticipate the invention as claimed.

USSN: 09/683,715

MILTON, Scott C.

The remaining claims rejected hereunder depend from, and are at least allowable for the reasons cited in favor of allowance of, independent Claims 1 and 12.

Claim Rejections Under 35 U.S.C. § 103(a)

Claim 28 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Nierescher (U.S. 5,638,106) in view of Aruga (U.S. 6,141,028).

Claim 28 depends from independent Claim 24, incorporating all of the elements of Claim 24, and therefore is believed to be allowable for at least the reasons cited in favor of the allowance of Claim 24.

Conclusion

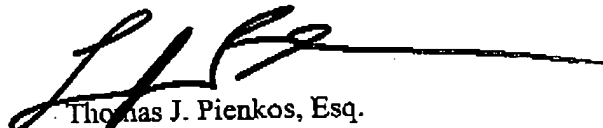
In view of the above, the Applicant respectfully requests withdrawal of the outstanding rejections and allowance of Claims 1-18, and 24-30, in addition to the already allowed Claims 19-23 and Claim 31. Claim 31 was amended only to correct a typo.

No fee or petition is believed due. In the event that a fee or petition is due, authorization is given here to charge Deposit Account No. 23-2053 in the appropriate amount for such fee or petition.

Prior to issuance of any further Office Action in this case, the Examiner is invited to call the Applicant's attorney since it is believed that such communication could facilitate allowance of the application.

Respectfully submitted,

Date: December 22nd, 2003


Thomas J. Pienkos, Esq.
Reg. No. 46,992

P.O. ADDRESS:

WHYTE HIRSCHBOECK DUDEK S.C.
555 East Wisconsin Avenue, Suite 1900
Milwaukee, Wisconsin 53202
(414) 273-2100
Customer No. 022202